

Oral Deposition of:

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**Ms. Laura McKnight**

**Case: Laura McKnight**

**vs.**

**D. Houston, Inc. et al.**

**Date Taken: May 11, 2010**

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1 A. No.

2 Q. Earlier today, I took the deposition of Andrew  
3 Baker who is one of the other plaintiffs in this case and  
4 during his deposition, he and I talked about a telephone  
5 conversation that you had with him approximately a year  
6 ago wherein you informed him about this lawsuit. Do you  
7 remember that telephone conversation?

8 A. I remember having a telephone conversation with  
9 him, yes.

10 Q. What did y'all talk about on your telephone  
11 conversation?

12 A. I informed him that I had spoken with my lawyer  
13 and --

14 MR. SHELLIST: Now be careful -- and I know,  
15 Al, you would give this instruction anyway but you can say  
16 whatever you guys chatted about but be careful that --  
17 neither Al nor I want you to trample upon any of the  
18 attorney-client communications. So, if you and I talked  
19 about something, that's one thing but whatever you and  
20 Andy talked about, whatever you recall, I'm happy for you  
21 to tell that to Al, okay?

22 THE WITNESS: Okay.

23 A. Basically I told him that I had spoken with  
24 Mr. Shellist and I had decided that, you know, the  
25 practices that were happening at the club were illegal and

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1 that I was pursuing a lawsuit.

2 Q. (By Mr. Van Huff) What else did the conversation  
3 consist of?

4 A. I asked him how his family was.

5 Q. With regard to the lawsuit.

6 A. It was a year ago. That's pretty much all I can  
7 remember.

8 Q. Okay. I imagine you probably gave him your  
9 lawyer's contact information?

10 A. Yes.

11 Q. Okay. Is there anything else?

12 A. Not that I can recall.

13 Q. Do you know who Trish -- Trisha Turner is?

14 A. Yes.

15 Q. Have you had any -- let me back up.

16 Have you had any other conversations with  
17 Mr. Baker about this lawsuit?

18 A. This morning I text him to ask him what the name  
19 of our old manager was. I remembered his first name. I  
20 did not recall his last name.

21 Q. Who was it?

22 A. John Tovar.

23 Q. Okay.

24 A. And I asked him how he was doing.

25 Q. Okay. Between the initial telephone conversation

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1 and the text you just mentioned, did you have any other  
2 conversations with Mr. Baker about this lawsuit?

3 A. There was a confidential communications between  
4 my lawyer and all of us that I replied to, but I don't  
5 think I'm able to talk with you about that.

6 Q. Okay. I did not ask you about conversations or  
7 communications with your lawyer. I'm asking you about  
8 communications or communications between you and  
9 Mr. Baker.

10 A. Right. And those occurred like when you  
11 "reply-all" kind of thing. So, those would technically be  
12 conversations if I replied "all" and Andy received that  
13 communication but it also went to my lawyer.

14 Q. Okay. And so, I guess what you're saying is you  
15 had some conversations that were basically in the context  
16 of a conference-type conversation between all the  
17 plaintiffs and your lawyer?

18 A. Yes.

19 Q. Essentially I guess that would be what you're  
20 saying.

21 Any other conversations other than that with  
22 Mr. Baker regarding the lawsuit?

23 A. Not that I can recall.

24 Q. What about Ms. Turner?

25 A. Also the same besides the fact that I met one

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1 time in the office with her to meet with Mr. Shellist and  
2 she's my Facebook friend. So, it's all personal.

3 Q. Facebook. Have y'all ever communicated on  
4 Facebook about this lawsuit?

5 A. No.

6 Q. Are you Facebook friends with any of the other  
7 plaintiffs?

8 A. Margo I think. I'm not sure. I have like 500  
9 people that are my friends. I can't really recall. I'm  
10 pretty sure Margo but I'm not sure about the rest of them  
11 but we don't talk about Treasures. We've moved on from  
12 that.

13 Q. You don't talk about it anymore?

14 A. On Facebook or?

15 Q. You said that you had moved on from that --

16 A. No.

17 Q. So, y'all discussed it at some point on Facebook?

18 A. No. I'm saying we've moved. In other words  
19 we're no longer employed by Treasures. We've moved on  
20 with our lives.

21 Q. I see.

22 A. And so any conversations that we've had beyond  
23 meeting with Mr. Shellist would be of a personal nature.

24 Q. And just so that you know in the process of me  
25 asking you questions about your communications with the

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1 other plaintiffs, I'm not trying to get into whatever else  
 2 y'all talk about other than the stuff that has to do with  
 3 this lawsuit.

4 A. Okay.

5 Q. Now -- and your employment with Treasures.

6 When you were employed with Treasures, did  
 7 you ever have any Facebook communications with any other  
 8 employees of Treasures?

9 A. While I was employed, no. I just recently got on  
 10 Facebook.

11 Q. Have you had any e-mail communications with any  
 12 of the other plaintiffs regarding Treasures?

13 A. The plaintiffs, no. It would be the same as with  
 14 Andy, just, you know, reply-all communication and maybe a  
 15 generalized question that Marty would ask us and I'd  
 16 respond and maybe they would respond further but, I mean,  
 17 as far as the times, the dates what we talked about, I  
 18 don't know and if it was -- if it involved Mr. Shellist, I  
 19 can't talk to you about that.

20 Q. What's your e-mail address?

21 A. I prefer not to give that. That's my husband and  
 22 my e-mail address.

23 Q. Well --

24 MR. VAN HUFF: Mr. Shellist.

25 MR. SHELLIST: I'll talk to her at a break

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1 Q. I see. What did you guys talk about in  
 2 connection with the lawsuit at that time?

3 A. That was last April.

4 MR. SHELLIST: If you remember, tell him  
 5 everything you remember. If you don't, just be fair with  
 6 him and tell him you don't remember.

7 A. Okay. I just told her that I was pursuing the  
 8 lawsuit and I gave her Mr. Shellist's information and I  
 9 don't remember anything further.

10 Q. (By Mr. Van Huff) What other communications have  
 11 you had with her since then regarding this lawsuit other  
 12 than communications that had to do with your lawyer?

13 A. That would be it.

14 Q. When was the last time you spoke with her?

15 A. I can't recall. I think it was the last time we  
 16 met at the office.

17 MR. SHELLIST: If you remember, let him know.  
 18 If you don't --

19 A. Yeah. I mean, that was the last date that I know  
 20 of.

21 Q. (By Mr. Van Huff) And Rachel Freedman, do you  
 22 know her?

23 A. Vaguely. I mean, I worked with her. People told  
 24 her if I saw her I'd remember her. But I was given her  
 25 number to contact her and let her know about the lawsuit.

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1 and I'll see and then if we need to fuss about it, I'll  
 2 let you know but I'll write that down as a note for  
 3 Ms. McKnight and I to chat about.

4 Q. (By Mr. Van Huff) Who is your e-mail service  
 5 provider, if you know what that means?

6 A. I don't understand why that's important.

7 Q. Okay. So, is that another question that you're  
 8 not going to answer?

9 MR. SHELLIST: If you're not comfortable  
 10 answering, you can tell him you're not going to answer it.  
 11 You and I can discuss it at a break.

12 THE WITNESS: Okay.

13 A. I prefer not to answer.

14 Q. (By Mr. Van Huff) Okay. Other than Facebook are  
 15 you on any other social networking sites?

16 A. No.

17 Q. When did you first talk to Trisha Turner about  
 18 this lawsuit?

19 A. It was probably right after the time that I  
 20 initially spoke with Mr. Shellist.

21 Q. Did you contact Ms. Turner in the same manner  
 22 that you contacted Mr. Baker regarding the lawsuit?

23 A. No, I did not. It was my last day of employment  
 24 at Treasures, and I spoke with her about it because she  
 25 had come in as a patron.

1 Q. Who gave you her number?

2 A. I can't remember if it was -- I don't remember if  
 3 it was one of the other plaintiffs or if it was a current  
 4 employee.

5 Q. What prompted you to call these other people to  
 6 get them involved in the lawsuit?

7 A. These were all of my coworkers who basically were  
 8 experiencing the same exact thing that I was experiencing  
 9 on a nightly basis when we would go to work and I wanted  
 10 to let them know that basically what we were dealing with  
 11 was against the law and I just wanted to let them know  
 12 that I was pursuing a lawsuit against it.

13 Q. Kimberly McCray, when was your first conversation  
 14 with her about the lawsuit?

15 A. It was around the time that I contacted Rachel  
 16 because I was also given her phone number.

17 Q. Do you remember who gave you the phone number?

18 A. I don't remember.

19 Q. And finally, Margaret -- excuse me -- Margo  
 20 Moreno?

21 A. It was around that same time.

22 Q. Back in April of '09?

23 A. Yes.

24 Q. And how did you contact Margo?

25 A. I called her.

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1 Q. You already had her telephone number?  
 2 A. I had to get it from -- I don't remember if it  
 3 was one of the plaintiffs or another coworker that still  
 4 worked there.  
 5 Q. So, it could have been that you contacted former  
 6 coworkers of yours at Treasures to get telephone numbers  
 7 for other employees?  
 8 A. Yes. I spoke with a lot of my coworkers that  
 9 were still currently employed that did not want to leave  
 10 the company and did not want to pursue the lawsuit because  
 11 they were fearful of retaliation. So, either they gave me  
 12 contact numbers of people that they knew would be  
 13 interested that no longer worked there or people that were  
 14 planning on leaving that would be interested.  
 15 Q. And how is it that you -- that your employment  
 16 with Treasures ceased?  
 17 A. I decided that I did not want to work for them  
 18 anymore, so, I quit.  
 19 Q. On average how many hours a week did you work at  
 20 Treasures as a waitress during your employment there?  
 21 A. It varied anywhere from one shift and I can  
 22 recall working seven shifts in a week. It just depended.  
 23 Q. And how long was a shift usually about?  
 24 A. It depended on the day. Some days we were open  
 25 until 2:00 in the morning. Some days we were open until

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1 4:00 in the morning and generally the days that we were  
 2 opening till 4:00 in the morning, I stayed till 4:00 in  
 3 the morning.  
 4 Q. Okay. What was the range in hours of the shifts?  
 5 A. 6:30 to 2:00 or 6:30 to 4:30.  
 6 Q. Did you clock in?  
 7 A. I did clock in, but I wasn't always paid for the  
 8 hours that I was worked -- that I worked.  
 9 Q. Did you clock in for all the hours that you  
 10 worked?  
 11 A. Yes. However, where the timecards were located  
 12 was public access. Basically it was a swinging door with  
 13 glass on it and that's where the patrons were at. There  
 14 was many a time where my timecard would be gone and I  
 15 wouldn't know what had happened to it and there was no way  
 16 of, you know, locating it and/or submitting new hours and  
 17 when I did submit new hours, there were times that I was  
 18 not reimbursed.  
 19 Q. Okay. So, there were some issues with lost  
 20 timecards?  
 21 A. Yes.  
 22 Q. And approximately how many hours worth of pay  
 23 were you not compensated for due to lost timecards?  
 24 A. I don't know.  
 25 Q. Was it less than 24 hours of time, or was it 2000

1 hour's worth of time? If you just can give me a range so  
 2 we have some idea of what we're talking about, it would be  
 3 helpful.  
 4 A. Once every few months, you know, I would notice  
 5 that the hours that I worked didn't match -- did not match  
 6 what I had actually worked and as far as contacting the  
 7 woman that was in charge of payroll, she did not return  
 8 phone calls. She did not answer phone calls. Any  
 9 communication that I would give to my manager to give to  
 10 her because she was officed out of Centerfolds, I never  
 11 knew where it went.  
 12 Q. Did you document any of this?  
 13 A. Yes. I wrote letters and gave them to the  
 14 managers.  
 15 Q. Did you retain copies of those letters?  
 16 A. No.  
 17 Q. Well, on the occasions that this would happen,  
 18 how many hours would you be shorted in a pay period?  
 19 A. I don't know. That was seven year's worth of  
 20 employment, and it just got to the point where I knew  
 21 nobody was going to fix it. So, I just stopped worrying  
 22 about it.  
 23 Q. So, sitting here today, you don't know how many  
 24 hours you were shorted?  
 25 A. No, I don't.

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1 Q. Okay. Where are you currently employed?  
 2 A. I'd rather not disclose that information.  
 3 MR. SHELLIST: We'll mark that down; but I  
 4 can tell you based on our prior discussions that if you  
 5 want that information, the judge will have to ask us to  
 6 give that to you. I just don't feel it's relevant to  
 7 anything. So, I make a formal objection as to  
 8 the form of the question. I know we can chat about it if  
 9 we need to later.  
 10 Q. (By Mr. Van Huff) One of the allegations that  
 11 you've made in your lawsuit is that these six clubs are  
 12 joint employers. Are you aware of that?  
 13 A. Yes. Because it's true.  
 14 Q. Okay.  
 15 MR. VAN HUFF: Object to the portion that was  
 16 nonresponsive.  
 17 Q. (By Mr. Van Huff) On what facts do you base that  
 18 allegation?  
 19 A. When I was first given my employee orientation by  
 20 John Tovar which was the manager that I asked Andy about  
 21 his last name, he told me that Treasures and Splendor and  
 22 Gold Cup and all the clubs, they're the same clubs.  
 23 They're owned by the same owners; and, so, coming from his  
 24 mouth, that was true. Also, during the Super Bowl when it  
 25 came to Houston, we ran out of paperwork that we run our